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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Maurita K. Coley
Vice President
Legal Affairs

March 18, 1993

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: MM Docket No. 92-265 and 92-266

Dear Ms. Searcy:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, the following representatives of Black Entertainment Television, Inc. met with the following Commissioners and their staff on March 17, 1993 to discuss issues pertinent to the referenced rulemakings.

BET	Commission
Robert L. Johnson, President Maurita K. Coley, Vice President, Legal Affairs	Chairman James H. Quello Robert Corn-Revere, Chief Counsel
	Commissioner Andrew C. Barrett Byron F. Marchant, Legal Advisor
	Commissioner Ervin S. Duggan John C. Hollar, Senior Legal Advisor

A summary of the discussion is attached hereto. If you have any questions regarding this matter, please contact me.

Very Truly Yours,

Maurita K. Coley

cc: Chairman James H. Quello
Commissioner Andrew C. Barrett
Commissioner Ervin S. Duggan
Robert Corn-Revere, Esquire
Byron F. Marchant, Esquire
John C. Hollar, Esquire

Black Entertainment Television
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Summary of Position of Black Entertainment Television, Inc.

Program Access - Docket 92-265 (Section 12 - Regulation of Carriage Agreement; Section 19 - Regulation of Attributable Interests)

1. The Commission should determine an attribution standard that will not discourage cable operator investment in cable programmers. Minority programmers like BET, and others such as Discovery, C-Span, etc. could not have existed without cable operator investment. Cable operators have the incentive to invest in programmers because they need to fill their channels. Such investments should be encouraged, not discouraged. Ownership interests of 20 per cent or less should not be attributed.

2. Regulations restricting cable programmers' discretion to price our service for cable and other distribution media are inappropriate. The 1992 Act acknowledges our right to charge different prices for different distribution media based on creditworthiness, general character and technical qualifications, differences in costs, and economies of scale. As such, we believe that price differences should not be limited to cost-based differences. Rather, price differences may be warranted based on the value of the distributor to the programmer, the distributor's costs, financial viability and credit history of the distributor, signal security, the ability to affect advertising revenues, and the distributor's involvement in generating consumer recognition, such as the national "Cable in the Classroom" initiative, etc. As long as price differentials are reasonable, cable programmers should have considerable flexibility to impose reasonable price differences for different distribution media.

3. A party who claims competitive harm from a pricing differential should be required to demonstrate actual injury to competition. Any rules which require uniform pricing for all distribution media are contrary to the Act and fail to consider marketplace forces.

Rate Regulation - Docket 92-266

1. Congress' objective was to make cable rates reasonable, not to create an a la carte environment. A la carte pricing hurts diversity of programming goals, is particularly harmful to minority and other niche programmers, and results in higher costs to consumers. It creates a world of programming "haves and have nots", in which people who have money have diversity, and other people don't.

2. Rate regulations should be flexible enough to reflect quantitative and qualitative differences in program packages. For example, if the Commission adopts a national rate standard or range, it must take into account the number and the diversity of services provided by the cable operator.